

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

FILED BY *RJ* D.C.

05 MAY 16 PM 2:02

**COMMODITY FUTURES TRADING )  
COMMISSION, )**

**Plaintiff, )**

**v. )**

**FXTRADE FINANCIAL, LLC, et al., )**

**Defendants. )**

ROBERT R. DI TROLO  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

**NO. 04-2181 D/An**

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**ORDER GRANTING MOTION TO COMPEL DISCOVERY  
AGAINST DEFENDANT JEFFREY A. MISCHLER**

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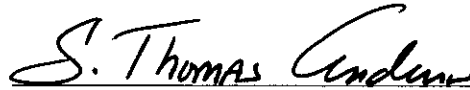
Before the Court is Plaintiff's Motion to Compel Discovery against Defendant Jeffrey A. Mischler filed on February 18, 2005. On March 14, 2005, the Court entered an Order Granting Motion for Extension of Time for Mr. Mischler to respond to the instant Motion. On March 15, 2005, Mr. Mischler filed a Supplemental Motion for Extension of Time to Respond to the instant Motion. Again, the Court granted the Supplemental Motion, giving Mr. Mischler until April 15, 2005 to respond to this Motion.

Although the Court granted him two extensions of time to respond to the instant motion, Mr. Mischler failed to file a response to the motion as required by Local Rule 7.2(a)(2). "Failure to timely respond to any motion, other than one requesting dismissal of a claim or action, may be deemed good grounds for granting the motion." Local Rule 7.2(a)(2). As such, for good cause shown and because Mr. Mischler did not respond to the motion, the Motion to Compel is **GRANTED**. Mr. Mischler shall provide complete responses to Plaintiff's First Set of

Interrogatories and Request for Production of Documents within 15 days of entry of this Order.

Mr. Mischler is reminded that the failure to comply with an Order of the Court can be grounds for the imposition of sanctions.

**IT IS SO ORDERED.**

A handwritten signature in cursive script, reading "S. Thomas Anderson", written over a horizontal line.

S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

Date: May 11, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 103 in case 2:04-CV-02181 was distributed by fax, mail, or direct printing on May 17, 2005 to the parties listed.

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